

REGULAR MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

Thursday, October 18, 2018
1:30 p.m.
Commission Chambers
1915 N. Stiles Avenue, 2nd Floor
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDERChairman Mark Liotta

ROLL CALLChairman Mark Liotta

OPEN MEETING ACT STATEMENT

1. MINUTES

The drafted minutes of the September 20, 2018 public meeting of the Commission will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION. PUBLIC COMMENTS ARE LIMITED TO THE AGENDA ITEMS LISTED.

2. Consent Agenda for Travel Vouchers Currently Outstanding:

Title 85A O.S. § 23 states that any Commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission will consider a vote to approve the currently outstanding vouchers.

All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today's meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and voted upon separately.

Possible Action:

Possible action may include, but is not limited to: taking no action; approving some, all, or none of the vouchers listed in this Consent Agenda; continuing the matter.

3. Discussion of Potential Clean-up Amendments to Title 85A

The Commission’s Legislative Liaison and other Commissioners will discuss potential amendments to Title 85A as well as other legislation affecting the Commission.

No action will be taken.

4. Discussion and Consideration of Current Commission Policies

The Commission will discuss and consider the following current Commission policy or policies, and determine if any updates are necessary: (1) WCC-11, Family and Medical Leave Policy.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; approving the one or more policies; not approving the one or more policies; or approving a modified version of the one or more policies listed in the above item.

5. Discussion and Consideration of a Limited Representation Agreement with the Attorney General’s Office and the need for a HIPAA Business Associate Agreement

The Commissioners will discuss entering into a limited representation agreement with the Attorney General’s office for purposes of conducting discovery related to state-wide litigation. The Commissioners will also consider whether an accompanying HIPAA Business Associate Agreement would be necessary and/or appropriate.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; entering into the limited representation agreement as drafted; not entering into the limited representation agreement; entering into the limited representation agreement as amended; entering into a HIPAA Business Associate Agreement as drafted; entering into a HIPAA Business Associate Agreement as amended; not entering into a HIPAA Business Associate Agreement.

6. Discussion and Consideration of Addendum 2 to Objectstream Contract

The Commissioners will discuss amending the Commission’s contract with Objectstream, Solicitation 856000009, to include Addendum 2.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; approving Addendum 2 as proposed; not approving Addendum 2 as proposed; or approving Addendum 2 with modifications.

7. Discussion Regarding the Interpretation of 85A O.S. § 2(42)

The Commissioners will discuss implementation of 85A O.S. § 2(42), which defines “State average weekly wage,” and its relevant applicability dates.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; interpreting Section 2(42) as setting an applicability date consistent with practice under the former Section 308 of Title 85; interpreting Section 2(42) as setting an applicability date beginning each calendar year; adopting a different interpretation of Section 2(42).

8. Possible Executive Session Pursuant to Title 25 O.S., § 307(B)(1) for the purpose of discussing personnel issues:

A. Motion and Vote to enter Executive Session under Title 25 O.S. § 307(B)(1). The Commission will discuss the employment and/or salary of the Executive Director; the employment and/or salary of the General Counsel; and the employment and/or salary of Administrative Law Judge Lawyer.

B. Motion and Vote to Reconvene in Open Session

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; approving, approving as amended, or not approving any motions coming out of executive session.

9. Announcements

The Commission’s next regularly scheduled business meeting is on November 15, 2018. The Commission’s next regularly scheduled appeals meeting is on October 19, 2018.

ADJOURNMENT.....Chairman Mark Liotta